

**MEMORANDUM OF ENDORSEMENT ON LAST PAGE**

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W. M. Greenwald

July 20, 2018

*Via ECF Filing, Email  
and First Class Mail*

Hon. James L. Garrity, Jr.  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004

**Re: Status Letter**  
***Igor Eric Kuvykin, Debtor***  
**Chapter 11 Case No. 18-10760- JLG**

Dear Judge Garrity:

This firm represents the Debtor in the referenced case.

The parties have not finalized the proposed pre-trial order for the evidentiary hearing concerning the Debtor's motion to impose the automatic stay in this case. This is because iPayment and the Debtor have not scheduled iPayment's examination of the Debtor. That issue is expected to be resolved, early next week.

Ipayment filed an adversary proceeding objecting to the dischargeability of its claim. A response would be due on July 26, 2018. However, in an effort to limit motion practice, the Debtor's and iPayment's counsel conferred concerning perceived defects in iPayment's complaint. Ipayment advised that it will be filing an amended complaint. The pre-trial conference is scheduled for August 9, 2018. Ipayment advised that the Court is rescheduling that conference.

Kirby Hill commenced an eviction proceeding against the Debtor and his family. The

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Debtor filed a removal petition to the United States District Court for the Eastern District of New York. Kirby Hill filed a motion to remand that action.

The Debtor filed a state court action against Kirby Hill and others based on, among other things, a break into the Debtor's home on July 4, 2017 and misrepresentations made about the property's asbestos condition. Service of process is not completed.

The Debtor is finalizing the motions referred to the prior status letter in this case.

At the last status conference, the Court stated its belief that absent completion of the proposed pre-trial order, the status conference scheduled for July 24, 2018, should be rescheduled. As reported, the document is not completed. Early next week, we will advise the Court of the deposition's date. That information may assist the Court in rescheduling the status conference.

Respectfully,

/s/ Wayne M. Greenwald

Wayne M. Greenwald

WMG/ms

cc: Mark Frankel, Esq., *via* email and ECF  
Serene Nakano, Esq. *via* email and ECF  
Steven B. Kaufman, Esq. *via* email  
Mark Levy, Esq. *via* email  
Deanne Rodney, *via* email

**The Debtor's request to adjourn the July 24, 2018 hearing is hereby denied. The hearing will take place on July 24, 2018, as scheduled.**

**IT IS SO ORDERED.**

July 20, 2018  
New York, New York

/s/ *James L. Garrity, Jr.*

Honorable James L. Garrity, Jr.  
United States Bankruptcy Judge